

RESOLUTION 2004-21

A RESOLUTION CONCERNING THE RENEWAL OF THE RIVERBOAT OWNER'S LICENSE HELD BY HORSESHOE HAMMOND, INC.

The Indiana Gaming Commission ("Commission") adopts the following resolution pursuant to the authority granted to it under IC 4-33 and pursuant to 68 IAC 1-2-6.

The following factors have been considered by the Commission:

1. The Commission issued a Riverboat Owner's License to Empress Casino Hammond Corporation on June 21, 1996, with an effective date of June 29, 1996, to operate a riverboat casino in Hammond, Indiana.
2. By action of the Commission on August 20, 1999, pursuant to Resolution 1999-32, Horseshoe Gaming Holding Corporation acquired 100% of the ownership interest in Empress Casino Hammond Corporation, the holder of the Indiana Riverboat Owner's License.
3. By action of the Commission on March 2, 2001, pursuant to Resolution 2001-8, Horseshoe Gaming Holding Corporation received the approval of the Commission to change the name of the entity that holds the Riverboat Owner's License from Empress Casino Hammond Corporation to Horseshoe Hammond, Inc. ("Horseshoe").
4. Pursuant to IC 4-33-6-12(b), a licensed owner shall undergo a complete investigation every three (3) years to determine that the licensed owner remains in compliance with IC 4-33. The three (3) year investigation coincides with Horseshoe's annual license renewal, which is due in June 2003.
5. The Commission has not completed the reinvestigation of the renewal of the Riverboat Owner's License issued to Horseshoe, and the Commission intends to hold a public hearing in Lake County, Indiana, where Horseshoe will have an opportunity to make a presentation.
6. Horseshoe submitted (a) the payment of a five thousand dollar (\$5,000) annual renewal fee and (b) a statement indicating its intent to continue the riverboat gambling operation more than thirty (30) days prior to the expiration of the license, and the Commission may make a preliminary finding that Horseshoe satisfies the conditions of IC 4-33.

NOW, THEREFORE, BE IT RESOLVED BY THE INDIANA GAMING COMMISSION, THAT THE FOLLOWING RESOLUTION IS ADOPTED:

SECTION 1. SCOPE.

This resolution applies to Horseshoe Hammond, Inc.

SECTION 2. DEFINITIONS.

The definitions set forth in IC 4-33-2 and 68 IAC apply to this resolution.

SECTION 3. RENEWAL OF THE RIVERBOAT OWNER'S LICENSE HELD BY HORSESHOE HAMMOND, INC.

The Commission hereby makes a preliminary determination that the Riverboat Owner's License issued to Horseshoe Hammond, Inc. is hereby:

RENEWED

RENEWED OR TERMINATED

and will remain valid until the Commission reconvenes to hold a public hearing concerning the investigation of the Riverboat Owner's License held by Horseshoe Hammond, Inc.

SECTION 4. EFFECTIVE DATE.

This Resolution is effective immediately.

ADOPTED THIS THE 30th DAY OF APRIL, 2004.

THE INDIANA GAMING COMMISSION:

Donald R. Vowels (FACSIMILE)

Donald Vowels, Chair

ATTEST:

Thomas Milcarek (FACSIMILE)

Thomas Milcarek, Secretary